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Economic and Social Council

Distr.
LIMITED

E/CN.6/1994/L.17
15 March 1994

ORIGINAL: ENGLISH

COMMISSION ON THE STATUS OF WOMEN
Thirty-eighth session
New York, 7-18 March 1994
Agenda item 6

PREPARATIONS FOR THE FOURTH WORLD CONFERENCE ON WOMEN:
ACTION FOR EQUALITY, DEVELOPMENT AND PEACE

Papua New Guinea*: draft resolution

Sustainable development and the environmental crisis

The Commission on the Status of Women,

Concerned that women through their actions have pointed to the seriousness of the global environmental crisis and its direct impact on women's health,

Aware that there is a lack of adequate recognition of and support for women's contribution to managing natural resources and safeguarding the environment,

1. Stresses that, in spite of what women have been doing in the field of the environment for over two decades, the Nairobi Forward-looking Strategies for the Advancement of Women do not reflect women's concern about and contribution to making a transition from destructive development to sustainable development;

2. Emphasizes that the debt situation of developing countries and the consequent macroeconomic policies imposed place unbearable burdens on women, and recognizes that those policies are incompatible with sustainable development;

3. Believes that the Platform for Action of the Fourth World Conference on Women should:

* In accordance with rule 69 of the rules of procedure of the functional commissions of the Economic and Social Council.

(a) Reflect a commitment to sustainable development models based on sustainable livelihoods and lifestyle criteria throughout;

(b) Contain a chapter, in section IV, setting out specific strategic objectives and actions to be taken to promote the full and equitable participation of women in global action for sustainable development at all levels, and strategic objectives and actions for risk prevention and health promotion education to counter the most serious toxic hazards that are threatening women's, men's and planetary health: toxic chemicals and biological and radioactive contamination;

(c) Include a recommendation for a framework for ecological economics from a woman's perspective that includes equal distribution of environmental wealth between North and South, between countries and between the sexes;

(d) Recommend a moratorium on biotechnological patenting of human genetic material until the full scientific, health and ethical implications have been widely reviewed;

(e) Advocate strategies for debt relief, recognizing the negative impact of debt on women in particular.

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Agenda item 6

PREPARATIONS FOR THE FOURTH WORLD CONFERENCE ON WOMEN:
ACTION FOR EQUALITY, DEVELOPMENT AND PEACE

Draft resolution submitted by the Chairman of the Commission

PREPARATIONS FOR THE FOURTH WORLD CONFERENCE ON WOMEN:
ACTION FOR EQUALITY, DEVELOPMENT AND PEACE

The Commission on the Status of Women,

Recalling resolutions 35/4 of 8 March 1991, 36/8 E of 20 March 1992 and 37/7 of 25 March 1993 of the Commission on the Status of Women on preparations for the Fourth World Conference on Women: Action for Equality, Development and Peace,

Also recalling Commission resolution 37/9 of 26 March 1993 on the work programme for the advancement of women and the proposed restructuring of the economic and social activities of the United Nations,

Taking into account the discussions of the Commission on the Status of Women at its thirty-eighth session and the relevant conclusions of the General Assembly in its resolution 48/108 of 20 December 1993,

Noting with concern the short time available for the Commission on the Status of Women at its thirty-ninth session to carry out its regular work as well as serve as the preparatory body for the Fourth World Conference on Women,

Recognizing that the pace of progress towards the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women, 1/ has been slow,

Desiring to take effective action to ensure that the Fourth World Conference on Women has a direct and immediate effect on the lives of women around the world,

Noting with appreciation the report of the Secretary-General on the preparations for the Fourth World Conference on Women, 2/

Taking note of the report of the Secretary-General containing the draft of the Platform for Action, 3/

Also taking note of the draft provisional rules of procedure, 4/

1. Requests the Secretary-General to prepare the draft of the Platform for Action for consideration by the Commission at its thirty-ninth session, based on the text contained in the annex to the present resolution;

2. Further requests the Secretary-General to ensure that the draft of the Platform for Action be made available in all languages at least six weeks before the beginning of the thirty-ninth session;

3. Invites the Secretary-General to organize informal consultations on the draft of the Platform for Action with member States prior to the thirty-ninth session of the Commission;

4. Requests the Secretary-General to report to the thirty-ninth session of the Commission on progress in preparations for the Conference and, in particular, on the further implementation of Section V on Information and Communication of Commission resolution 36/8 of 20 March 1992;

5. Invites Governments to include non-governmental organizations and, whenever possible, representatives of different generations in their delegations;

6. Also invites Governments to finalize their national reports in line with the guidelines prepared by the Secretariat and to submit those reports to the Secretary-General of the Conference by May 1994 to serve as input to the

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1/ Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, Nairobi, 15-26 July 1985 (United Nations publication, Sales No. E.85.IV.10), chap. I, sect. A.

2/ E/CN.6/1994/9.

3/ E/CN.6/1994/10.

4/ E/CN.6/1994/L.3.

review and appraisal of the implementation of the Nairobi Forward-looking Strategies;

7. Requests the Secretary-General of the Conference to convey to the preparatory committees for the International Conference on Population and Development and for the World Social Summit areas of concern relevant to them as reflected in the draft Platform for Action and to report back to the thirty-ninth session of the Commission;

8. Also requests the Secretary-General of the Conference to transmit to the regional preparatory conferences for the Fourth World Conference on Women the preliminary draft of the Platform for Action, as contained in the annex to the present resolution, including any additional opinions expressed by the Working Group at the thirty-eighth session of the Commission;

9. Calls upon United Nations bodies and specialized agencies to participate in the Fourth World Conference on Women and identify the specific actions they will undertake, including goals and targets, and the measures they will implement to realign priorities and redirect resources to meet the global priorities in the Platform for Action;

10. Invites other intergovernmental organizations similarly to make concrete commitments to meet the global priorities for the advancement of women by the year 2000 to be reflected in the Platform for Action;

11. Invites member States to make a public commitment at the Fourth World Conference on Women to specific priority objectives contained in the Platform for Action which they will undertake to accelerate progress towards achieving equality for women in their own countries by the year 2000;

12. Calls upon the Secretary-General as a matter of priority, in preparing the programme budgets for the biennia 1996-1997 and 1998-1999, to propose adequate human and financial resources to carry out fully the strategic action required by the United Nations to implement the Platform for Action;

13. Reiterates its request in its resolutions 35/4 and 37/7 for an analysis of the impact of existing technical and financial cooperation targeting women;

14. Requests the Secretary-General to include in the draft of the Platform for Action, proposals to strengthen technical and financial cooperation to benefit women;

15. Urges all Governments to establish national committees or to designate focal points for the preparations for the Conference in keeping with Commission resolution 36/8, and to inform the Secretary-General of the Conference accordingly;

16. Decides to consider the draft provisional rules of procedure for the Conference at its thirty-ninth session;

17. Recommends to the Economic and Social Council that the thirty-ninth session of the Commission on the Status of Women be extended by one week and that provision should be made for a two-week meeting of a parallel working group. The dates for the thirty-ninth session of the Commission should be reviewed in light of the dates set for the World Social Summit in order to ensure effective coordination and to allow for consultations among member States on preparations for the Fourth World Conference on Women to be held just prior to the thirty-ninth session of the Commission.

## Annex

## ORIENTATIONS ARISING FROM THE EXAMINATION OF THE FIRST DRAFT OF THE PLATFORM OF ACTION

[Revision of E/CN.6/WG/1994/WP.1 and Add.1-8 to incorporate comments made in the Working Group]

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Economic and Social Council

Distr.
LIMITED

E/CN.6/1994/L.19
15 March 1994

ORIGINAL: ENGLISH

COMMISSION ON THE STATUS OF WOMEN
Thirty-eighth session
New York, 7-18 March 1994
Agenda item 5 (a)

PRIORITY THEMES: EQUALITY: EQUAL PAY FOR WORK OF EQUAL VALUE, INCLUDING METHODOLOGIES FOR MEASUREMENT OF PAY INEQUITIES AND WORK IN THE INFORMAL SECTOR

Belgium,* Denmark,* Finland, France, Germany,* Greece*, Italy, Netherlands, Portugal,* Spain and United Kingdom of Great Britain and Northern Ireland:* draft resolution

Equal pay for work of equal value

The Commission on the Status of Women,

Recalling Economic and Social Council resolution 1990/15 of 24 May 1990,

Recalling the principle of equal remuneration as referred to by the Committee on the Elimination of Discrimination against Women,

Recalling the Equal Remuneration Convention of 1951 (No. 100) and Recommendation (No. 90) of the International Labour Organization,

Taking note with appreciation of the report of the Secretary-General on the priority theme of equal pay for work of equal value, 1/ which is based on a study by the International Labour Organization, 2/

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* In accordance with rule 69 of the rules of procedure of the functional commissions of the Economic and Social Council.

1/ E/CN.6/1994/2.

2/ Ibid., annex.

Recognizing that wage differentials continue to persist worldwide between men and women and that legislation on equal pay has not been enacted and/or implemented in many countries,

Emphasizing that wider implementation of the principle of equal pay for work of equal or comparable value would contribute to the greater economic autonomy of women, thus helping to alleviate the burden of low incomes and enabling women to make life choices more freely,

Recognizing the special need to eliminate inequalities of income and discriminatory working conditions based on gender, particularly in the informal sector,

Recognizing that implementation of the principle of equal pay for work of equal value is an essential requirement for economic development, for achievement of social justice and for the better use of human resources, as well as a major component of the empowerment of women and their free participation in development,

Taking note of the new system of national accounts adopted by a number of countries and international institutions, which recognizes the economic value of women's labour, both in the informal sector and in the context of the family,

1. Urges Government and international, regional and national institutions, as appropriate:

(a) To promote and pursue in greater depth research on the concept of work of equal value as a potential means for eliminating gender-based inequalities in remuneration, taking into account the particular circumstances and needs of developed and developing countries, as well as those of the economies in transition;

(b) To disseminate as widely as possible the results of such research, including, in particular, their transmission to the Commission on the Status of Women at its thirty-ninth and subsequent sessions;

2. Calls upon Governments:

(a) To take appropriate legislative action;

(b) To extend the coverage of legislation on equal remuneration, particularly to the informal sector;

(c) To give full effect to those international instruments to which they have acceded on the subject of equal pay for work of equal value, whether through legislation, collective bargaining, judicial or arbitral decision or by any other means;

(d) To take steps to make information available to women and men about their rights to equal pay for work of equal value, for example through legal literacy programmes;

3. Calls on employers and employees and their respective organizations to promote the concrete implementation of the principle of equal pay for work of equal value;

4. Requests the Secretary-General, in consultation with the International Labour Organization and other appropriate international and regional bodies, to submit to the Commission, at its thirty-ninth session, a report on the situation at the national level in respect of the implementation of the principle of equal pay for work of equal value, particular attention to be paid, to the extent possible, to the adequacy of mechanisms and procedures for facilitating such implementation.

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Economic and Social Council

Distr.
LIMITED

E/CN.6/1994/L.20
15 March 1994

ORIGINAL: ENGLISH

COMMISSION ON THE STATUS OF WOMEN
Thirty-eighth session
New York, 7-18 March 1994
Agenda item 5

PRIORITY THEMES

Algeria, Bangladesh, Bosnia and Herzegovina*, Ecuador, Iran, (Islamic Republic of), Malaysia, Morocco*, Pakistan, Sierra Leone*, Tunisia and Turkey*: draft resolution

# Rape and abuse of women in the area of armed conflict in the former Yugoslavia

The Commission on the Status of Women,

Guided by the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights, 1/ the International Covenants on Human Rights, 2/ the International Convention on the Elimination of All Forms of Racial Discrimination, 3/ the Convention on the Prevention and Punishment of the Crime of Genocide, 4/ the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 5/ the Convention on the

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* In accordance with rule 69 of the rules of procedure of the functional commissions of the Economic and Social Council.

1/ Resolution 217 A (III).

2/ Resolution 2200 A (XXI), annex.

3/ Resolution 2106 A (XX), annex.

4/ Resolution 260 A (III).

5/ Resolution 39/46, annex.

Elimination of All Forms of Discrimination against Women, 6/ the Convention on the Rights of the Child 7/ and other instruments of international humanitarian law, including the Geneva Conventions of 12 August 1949 8/ and the Additional Protocols thereto of 1977, 9/

Recalling General Assembly resolution 3074 (XVIII) of 3 December 1973, entitled "Principles of international cooperation in the detection, arrest, extradition and punishment of persons guilty of war crimes and crimes against humanity",

Recalling the Commission on Human Rights resolution 1994/__ of 9 March 1993, entitled "Rape and abuse of women in the territory of the former Yugoslavia" and General Assembly resolution 48/143 of 20 December 1993, entitled "Rape and abuse of women in the areas of armed conflict in the former Yugoslavia",

Appalled at the recurring and substantiated reports of widespread rape and abuse of women and children in the areas of armed conflict in former Yugoslavia, in particular its systematic use against the Muslim women and children in Bosnia and Herzegovina by Serbian forces,

Reaffirming the relevant Security Council resolutions, in particular resolution 796 (1992) of 18 December 1992 in which, inter alia, the Council strongly condemned those acts of unspeakable brutality,

Noting with deep concern the reports on the findings of the Special Rapporteur, 10/ regarding rape and abuse of women in the territory of the former Yugoslavia, particularly in the Republic of Bosnia and Herzegovina,

Convinced that this heinous practice constitutes a deliberate weapon of war in fulfilling the policy of ethnic cleansing carried out by Serbian forces in the Republic of Bosnia and Herzegovina, and noting General Assembly resolution 47/121 of 18 December 1992, in which the Assembly stated, inter alia, that the abhorrent policy of ethnic cleansing was a form of genocide,

Welcoming the establishment of an International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, in pursuance of Security Council resolution 808 (1993) of 22 February 1993 and 827 (1993) of 25 May 1993,

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6/ Resolution 34/180, annex.

7/ Resolution 44/25, annex.

8/ United Nations Treaty Series, vol. 75, Nos. 970-973.

9/ Ibid., vol. 1125, Nos. 17512 and 17513.

10/ E/CN.4/1994/47.

Desirous of ensuring that persons accused of upholding and perpetrating rape and sexual violence as a weapon of war in the areas of armed conflict in the former Yugoslavia will be brought to justice by the International Tribunal, where appropriate,

Recognizing the extraordinary suffering of the victims of rape and sexual violence and the necessity for an appropriate response to provide assistance to those victims,

Deeply alarmed at the situation facing victims of rape in the conflicts in different parts of the world, in particular in the Republic of Bosnia and Herzegovina, and the continuing use of rape as a weapon of war,

Noting with appreciation the work of humanitarian organizations aimed at supporting the victims of rape and abuse and alleviating their suffering,

Taking into account resolution 37/7 of 25 March 1993 of the Commission on the Status of Women,

Expressing its appreciation to the Secretary-General for his report entitled "Rape and abuse of women in the areas of armed conflict in former Yugoslavia", 11/

Commending the Special Rapporteur for his report on the situation of human rights in the territory of the former Yugoslavia, 10/

1. Strongly condemns the abhorrent practice of rape and abuse of women and children in the areas of armed conflict in the former Yugoslavia which constitutes a war crime;

2. Expresses its outrage that the systematic practice of rape is being used as a weapon of war and an instrument of ethnic cleansing against the women and children in the former Yugoslavia, in particular against Muslim women and children in Bosnia and Herzegovina;

3. Demands that those involved immediately cease those outrageous acts, which are in gross violation of international humanitarian law, including the Geneva Conventions of 12 August 1949 8/ and the Additional Protocols 9/ thereto, and take immediate action to ensure the enjoyment of human rights and fundamental freedoms in accordance with their obligations under those instruments and other applicable international human rights instruments;

4. Urges all States Members of the United Nations to take joint and separate action, in cooperation with the United Nations, to bring about an end to this despicable practice;

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11/ A/48/858.

5. Reaffirms that all persons who perpetrate or authorize crimes against humanity or other violations of international humanitarian law are individually responsible for those violations and that those in positions of authority who have failed to ensure that persons under their control comply with the relevant international instruments are accountable, together with the perpetrators;

6. Urges States Members of the United Nations to exert every effort to bring to justice, in accordance with internationally recognized principles of due process, all those individuals directly or indirectly involved in these outrageous international crimes;

7. Endorses the decision of the Special Rapporteur on the situation of human rights in the territory of the former Yugoslavia to allow the Commission of Experts established under Security Council resolution 780 (1992) to take the lead on special studies of this issue to avoid duplication but to continue to pay attention to the widespread occurrence of rape, particularly in Bosnia and Herzegovina;

8. Notes with concern that many of the recommendations in the Special Rapporteur's previous reports have not been implemented and urges all States and relevant organizations immediately to give serious consideration to the recommendations of the Special Rapporteur in his reports, in particular the recommendation for the provision of necessary medical and psychological care to victims of rape within the framework of programmes to rehabilitate women and children traumatized by war;

9. Supports the Commission of Experts in its initiative to investigate the issue of systematic rape of women in the former Yugoslavia through its envisaged plan of action in which special emphasis will be given to allegations of sexual assault;

10. Urges the Commission of Experts to treat its investigation on this issue as a matter of priority and welcomes its intention to reflect the results of its study in its final report, expected to be submitted by the end of April 1994;

11. Calls on all States that harbour refugees from the former Yugoslavia to provide the necessary assistance to the Commission of Experts in its efforts to interview those refugees or otherwise collect evidence for its investigation of the systematic practice of rape of women;

12. Declares that rape is a heinous crime and encourages the International Tribunal to give due priority to the cases of the victims of rape in the areas of armed conflict in the former Yugoslavia, in particular in the Republic of Bosnia and Herzegovina;

13. Urges all States and all relevant intergovernmental and non-governmental organizations, including the United Nations Children's Fund, the Office of the United Nations High Commissioner for Refugees and the World Health Organization, to continue to provide to the victims of such rape and abuse appropriate assistance for their physical and mental rehabilitation;

14. Requests the Secretary-General to continue providing such necessary means as are available to him in the area to enable the Commission of Experts and the Special Rapporteur to perform their missions in this respect;

15. Decides to remain seized of this matter.

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